

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES S. CARNEY, JR.,

Defendant.

No. CV-06-0227-MWL

JUDGMENT UPON
ORDER OF DEFAULT

BEFORE THE COURT is Plaintiff's Motion for Judgment upon Order of Default. (Ct. Rec. 9). Assistant United States Attorney Rolf H. Tangvald represents Plaintiff. Defendant James S. Carney, Jr., failed to respond or otherwise contact the Court.

On May 23, 2006, the United States filed a complaint against Defendant based upon his failure to repay education assistance loans guaranteed by the Higher Education Assistance Foundation and then reinsured by the Department of Education under loan guaranty programs. (Ct. Rec. 1-1). On May 27, 2006, Defendant executed a Waiver of Service of Judicial Process which was filed with the Court on June 23, 2006. (Ct. Rec. 4-2). On August 7, 2006, Plaintiff moved for entry of default against Defendant who had not responded to the complaint (Ct. Rec. 4-1); that motion was granted on August 25, 2006 (Ct. Rec. 8).

1 Pursuant to promissory notes executed on or about May 17, 1986,
2 February 9, 1987, October 29, 1987 and March 3, 1988, Defendant owes
3 Plaintiff the respective principal amounts of \$2,500.00, \$2,625.00,
4 \$2,100.00 and \$500.00, plus interest accruing at a rate of 8.00% per
5 annum. Defendant is indebted to Plaintiff in the principal amount of
6 \$7,198.89, plus interest on the principal as of January 26, 2006,
7 computed at the rate of 8.00% per annum in the amount of \$6,945.44,
8 for a total owing of \$14,144.33 as of January 26, 2006, plus interest
9 thereafter on the principal at the rate of 8.00% per annum to the date
10 of judgment, plus a \$350.00 filing fee, a \$20.00 docket fee, U.S.
11 Marshals Service fees, and post-judgment interest at the legal rate
12 until paid in full. The amount does not exceed the amount prayed for
13 in the complaint. Having complied with the requirements of Fed. R.
14 Civ. P. 55 and LR 55.1, Local Rules for the Eastern District of
15 Washington, **JUDGMENT IS RENDERED IN FAVOR OF PLAINTIFF AND AGAINST**
16 **DEFENDANT FOR THE AMOUNTS DESCRIBED ABOVE.** Plaintiff's motion for
17 default judgment as to James S. Carney, Jr. (**Ct. Rec. 9**) is **GRANTED.**

18 **IT IS SO ORDERED.** The District Court Executive is directed to
19 enter this Order and forward a copy to Plaintiff and to counsel.
20 Judgment shall be entered for Plaintiff and the file shall be **CLOSED.**

21
22 DATED this 10th day of October, 2006.

23
24 S/ Michael W. Leavitt
25 MICHAEL W. LEAVITT
26 UNITED STATE MAGISTRATE JUDGE
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